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# MARRIOTT RESIDENCE INN

## Initial Study

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Prepared for the
PORT OF
OAKLAND

Prepared by
BRADY AND ASSOCIATES, INC.
2215 Fifth St. Berkeley CA 94710

December 1995

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In Association With
CRANE TRANSPORTATION GROUP

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**Marriott Residence Inn**
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**Marriott Residence Inn**

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## A. INTRODUCTION

### 1. Purpose

This Initial Study has been prepared in accordance with the California Environmental Quality Act (CEQA) to assess the potential impacts which could result from the proposed Marriott Residence Inn. The applicant, John B. Norton, has proposed to construct a 122-room hotel on Embarcadero along the waterfront of the Oakland Inner Harbor. The project is in the City of Oakland and within the Port of Oakland's jurisdiction. The Port of Oakland is the lead agency for this environmental review. This assessment is designed to inform the Port of Oakland, other responsible agencies, and the general public of the proposed project and possible effects of its approval, construction and operation.

### 2. Public Meeting

The Port of Oakland held a community meeting on August 22, 1995 to solicit input on topics to be examined during the environmental assessment of the proposed project. The following issues were identified at the meeting:

- compatibility of the proposed commercial use with surrounding industrial uses;
- dislocation of maritime uses along the Oakland Inner Harbor;
- visual impacts associated with the cargo trucks that park along Embarcadero;
- continuation of the Bay Trail west of the project site;
- preservation of shoreline access from Embarcadero; and
- design (i.e., width, material) of shoreline walkway.

This document addresses these issues in Section D, Evaluation of Potential Project Impacts and Recommended Mitigation Measures.

## B. PROJECT DESCRIPTION

■ ■ ■

### 1. Proposed Action

The applicant, John B. Norton, Lodging Development, is proposing to construct a Marriott Residence Inn in the City of Oakland along the Oakland Inner Harbor. The proposed project consists of a 122-room extended-stay hotel with public access enhancements and site improvements. This would require demolition of three buildings currently located on the site. Figures 1 through 4 locate the proposed project and illustrate existing and proposed site plans. Figure 5 provides an illustrative front elevation of the Inn. Each element of the project is described below.

a. Demolition. Construction of the proposed project would necessitate demolition of the buildings housing the former Capri restaurant, The Ark restaurant, and the Integre Marine business. Each of these buildings is owned by the Port of Oakland.

The former Capri restaurant, located at 1103 Embarcadero, is currently unoccupied and has been closed since the October 1989 earthquake due to extensive structural damage. This structure, designated as Port building H-313, is a 6,000 square foot, single-story, wood framed building constructed in 1965.

The Ark restaurant occupies Port building P-116 located at 1111 Embarcadero. This single-story, wood framed building is approximately 3,753 square feet and was constructed in 1962.

Integre Marine, located at 1155 Embarcadero, is a yacht dealership with an outdoor yacht sales and storage area. The sales office and retail supply portion of this business occupy Port building P-107. This wood framed, single-story structure was constructed in 1958 and is approximately 3,200 square feet.

Integre Marine is proposing to relocate its existing business and fourteen berths about a half a mile east of this existing location to a vacant parcel at

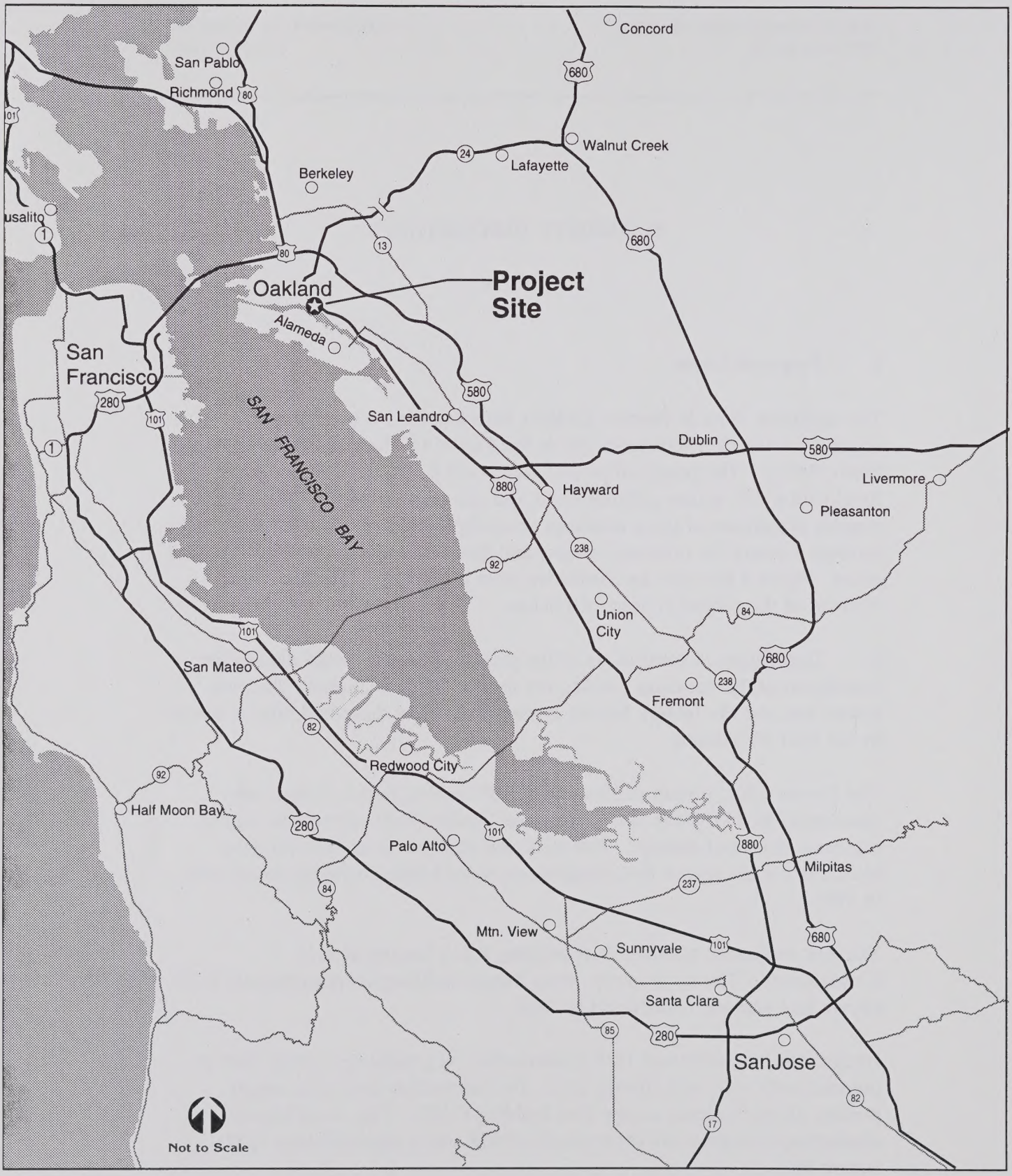



Figure 1

Marriott
Residence Inn
PORT OF OAKLAND
INITIAL STUDY

Regional
Location Map

BRADY AND ASSOCIATES, INC.

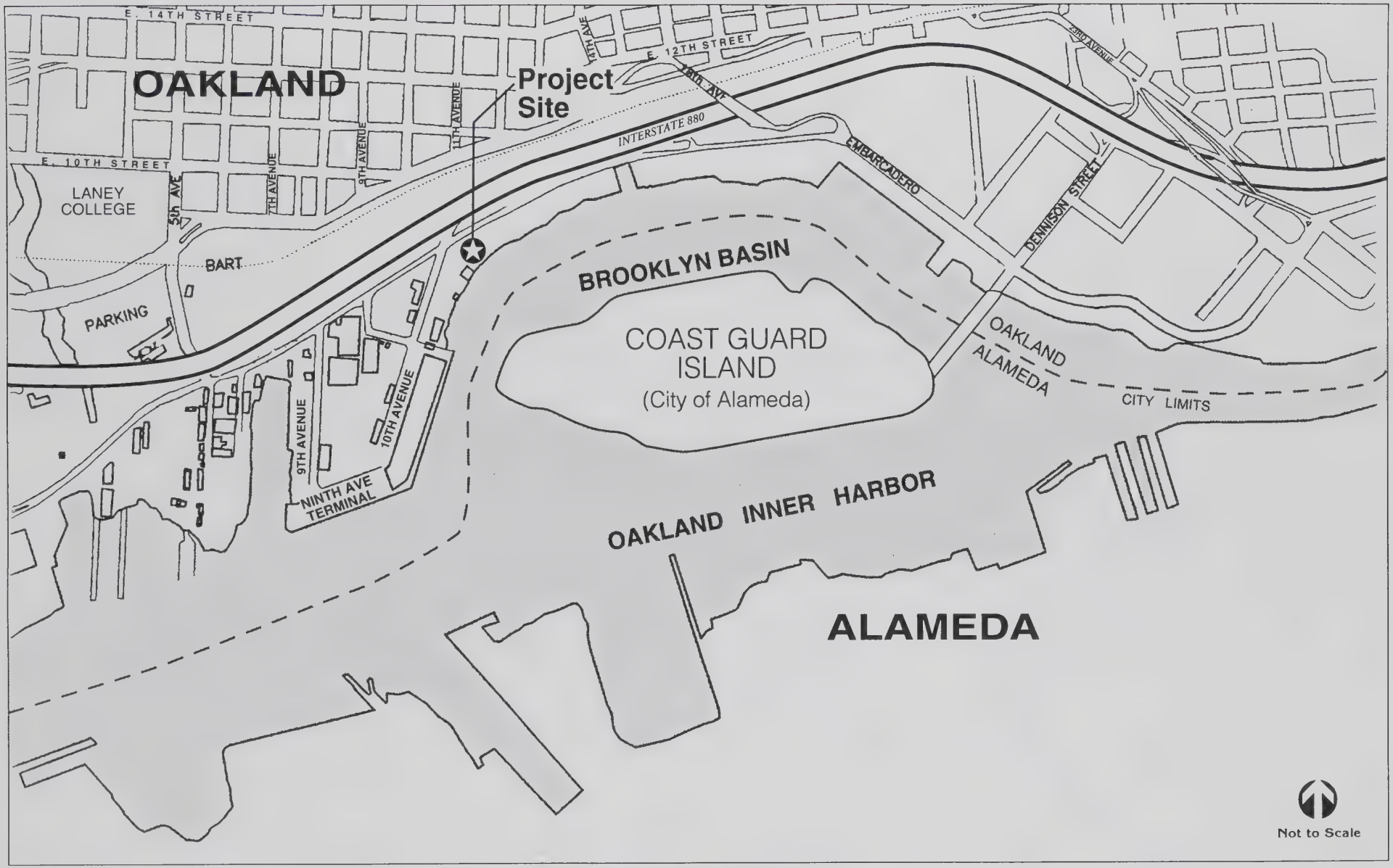



Figure 2

**Project Vicinity**

Marriott Residence Inn

*PORT OF OAKLAND*
*INITIAL STUDY*

SOURCE: Port of Oakland

*BRADY AND ASSOCIATES, INC.*

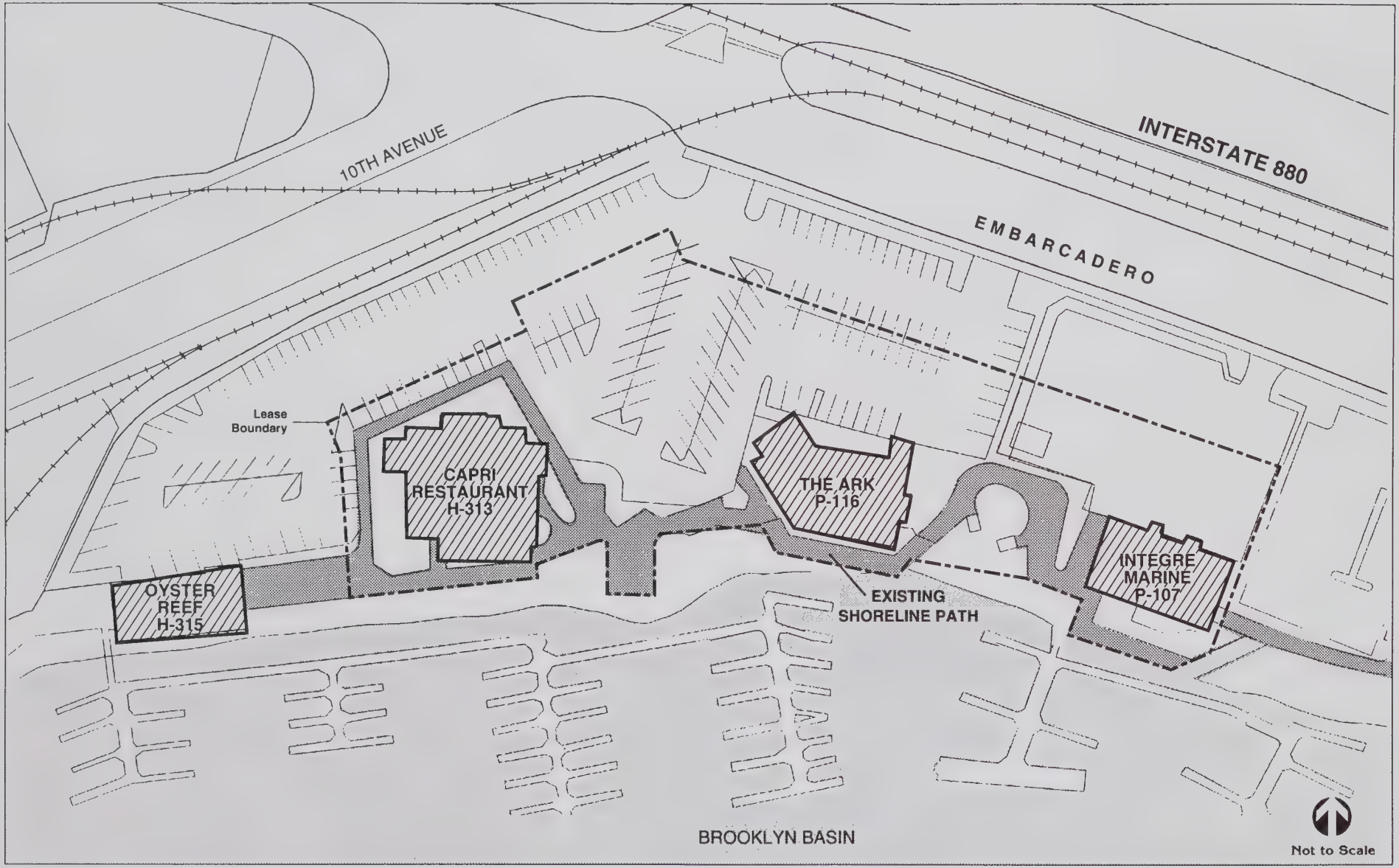



Figure 3

Marriott Residence Inn

PORT OF OAKLAND
INITIAL STUDY

**Existing Site Plan**

SOURCE: Port of Oakland

BRADY AND ASSOCIATES, INC.

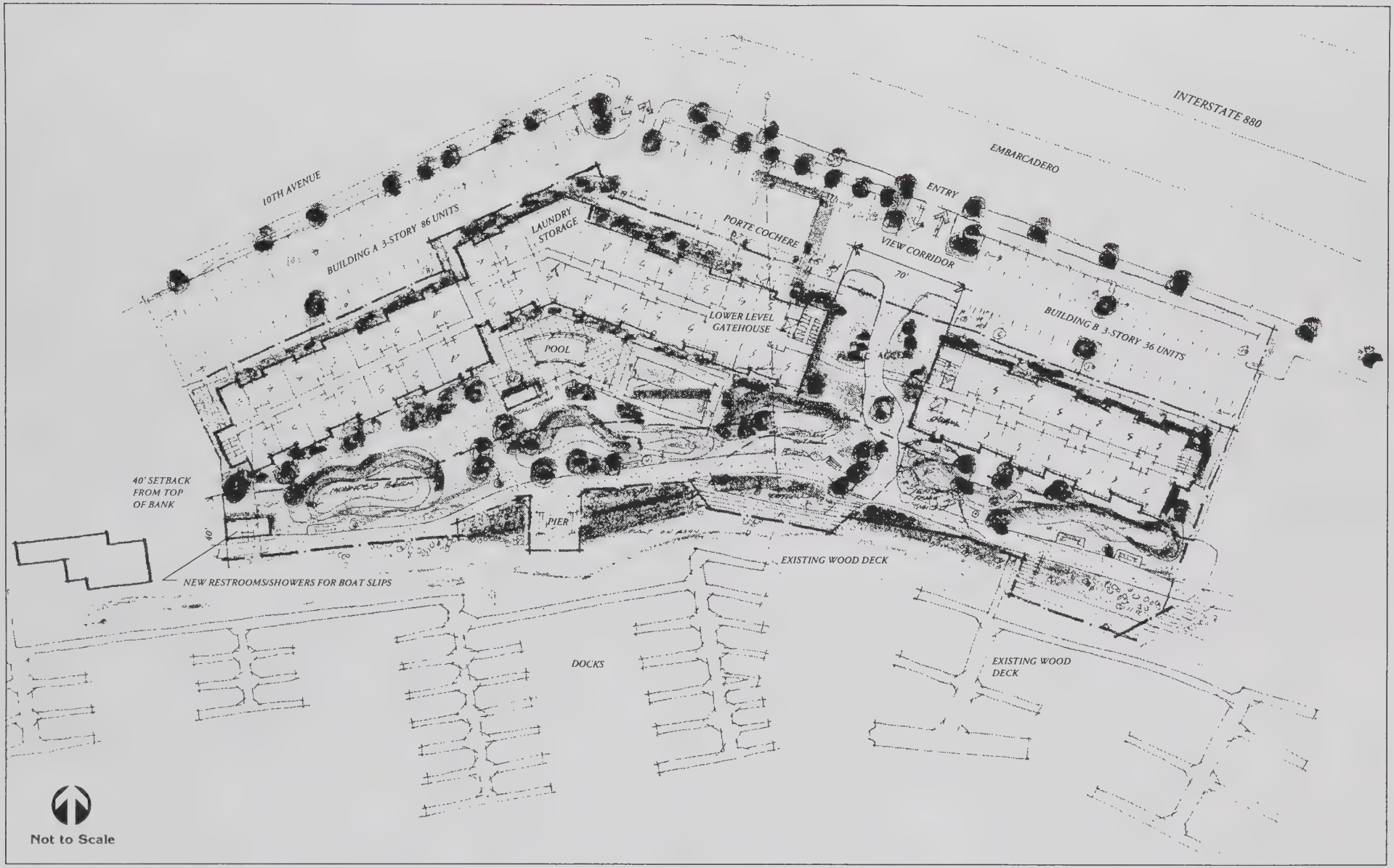



Figure 4

| |
|---|
| 18 Double Units |
| 104 Single Units |
| 122 Total Units |
| 122 Parking Space |

**Marriott Residence Inn**

*PORT OF OAKLAND*
*INITIAL STUDY*

## Proposed Site Plan

SOURCE: Richard Krantz Architecture

*BRADY AND ASSOCIATES, INC.*

Figure 5

**Proposed**
**Front Elevation**

Marriott
Residence Inn
*PORT OF OAKLAND*
*INITIAL STUDY*

SOURCE: Richard Krantz Architecture

*BRADY AND ASSOCIATES, INC.*

1701 Embarcadero. However, this potential relocation is not being assessed in this Initial Study.

b. Hotel Construction. The proposed hotel will include 122 guest rooms, lobby and office area, small conference room (25 people), pool area, sports court, and laundry facility. The construction will consist of 2 three-story buildings. The main building will have 74 single units, 12 double units, a laundry facility, and the gatehouse/lobby area. The adjacent building will have six double units and 30 single units. The proposed three story hotel has a maximum height of 35 feet and will include approximately 99,000 gross square feet. The building materials will consist of wood framing, wood siding and a shake shingle roof.

c. Site Improvements. In addition to the hotel, the applicant is also proposing to improve an existing public access area. The improvements will include realignment of the existing shoreline path, a landscaped area with an average width of 40 feet parallel to the waterfront, and a 70-foot wide landscaped area and walkway that will provide a direct connection between the waterfront and Embarcadero. Other improvements will include new asphalt pavement, benches, trash containers, picnic tables, lighting and various landscape improvements. A new restroom and shower facility is proposed at the west end of the site adjacent to the shoreline path for use by members of the marina. This new facility would replace the existing restrooms located adjacent to the Reef restaurant.

The existing parking lot which is proposed to be shared by the hotel and marina and, be available for public use for shoreline access, will also be repaved and striped to provide 122 off-street parking spaces. This parking lot would remain a public lot under the jurisdiction of the Port of Oakland, but would be privately maintained by the hotel operator.

**2. Project Site**

The two acre site of the proposed project is owned by the Port of Oakland and located on Embarcadero east of 10th Avenue within the Brooklyn Basin of the Oakland Inner Harbor. The parcel number for the site is APN 0-470-02 which includes street addresses at 1103, 1111, and 1155 Embarcadero.

The project site is currently occupied by three buildings (Port buildings H-313, P-116, and P-107), a public access area, a shoreline path, and a parking lot as shown on Figure 3.

The public access area includes a small landscaped area located between Integre Marine and The Ark restaurant. This area provides access to the shoreline path from the parking area and Embarcadero. A concrete sea wall and rip rap form the southern edge of the site along the north bank of the Brooklyn Basin. A large paved parking lot that connects with the parking lot for the Reef restaurant and marina occupies the northern portion of the site adjacent to Embarcadero and 10th Avenue.

### 3. Project Area

The project site is located on the shoreline of Brooklyn Basin, along the Oakland Inner Harbor, between 10th Avenue to the west and the 16th Avenue overcrossing to the south. The site is bounded on the north by the Embarcadero and Interstate 880, on the east by the Hungry Hunter restaurant, on the south by a marina within the Brooklyn Basin, and on the west by the Reef restaurant. The Ninth Avenue Breakbulk Terminal is located northeast of the site across 10th Avenue. Government Island is located directly south of the site across the Brooklyn Basin. Land uses surrounding the site are primarily commercial. Between the Embarcadero and Interstate 880 there are portions of both active and abandoned railroad tracks. The Southern Pacific Railroad main line and rail yards, and a mixed residential and commercial neighborhood are located north of the site across Interstate 880 as shown in Figure 2.

## C. SUMMARY OF FINDINGS

■ ■ ■

Table 1 provides a summary of potential impacts and recommended mitigation measures for the proposed Marriott Residence Inn.

No significant unavoidable impacts have been identified. Some potentially significant impacts were identified related to geology, hydrology, ambient noise, air quality, cultural resources, and hazardous materials. Each of these impacts would be mitigated to a less than significant level if the identified mitigation measures are implemented. A detailed description of potential impacts and recommended mitigation measures is provided in Section D, Evaluation of Potential Project Impacts and Recommended Mitigation Measures.

## Table 1
## SUMMARY OF FINDINGS

| Potential Impacts | Mitigation Measures |
|---|---|
| **1. GEOLOGY, SEISMICITY AND SOILS** | |
| Projects constructed on fill in the Bay Area hold the potential to expose humans and property to seismic hazards. | Required Mitigation Measure GEO-1: Engineering specifications should be prepared for all project structures and improvements to address the site's baseline soil and groundwater characteristics identified in the Phase II Investigation and to meet all applicable seismic standards set forth in the Uniform Building Code. |
| **2. HYDROLOGY** | |
| Demolition and construction for the proposed project could generate contaminants that could pollute storm water runoff or be discharged directly into the Bay. | Required Mitigation Measure HYDRO-1: The contractor should prepare, and the Port should review, a construction Stormwater Pollution Prevention Plan (SWPPP) following the guidelines in the State's General Construction Activity Storm Water Permit. |
| **3. BIOLOGY** | |
| No impacts associated with plant and animal life were identified. | |
| **4. NOISE/AIR** | |
| The project site falls within the 65 dBA noise contour; therefore, acoustic analysis and installation of noise insulation will be required. | Required Mitigation Measure NOISE-1: An acoustical analysis should be prepared and adequate noise insulation features, which will reduce the interim noise levels to less than 55 dBA, included in the construction specifications. |
| Emissions during construction of the hotel from demolition, excavation and construction activities would generate fugitive dust causing short-term, minor air quality impacts. | Required Mitigation Measure AIR-1: To minimize construction dust impacts, the following dust control measures should be implemented during construction:<br>• watering all exposed or disturbed soil surfaces as necessary to eliminate visible dust plumes;<br>• watering or covering stockpiles of debris, soil, sand or other materials that can be blown by the wind;<br>• suspending any earthmoving or other dust-producing activities during periods of high winds (15 mph or more) when watering cannot eliminate visible dust plumes;<br>• sweeping paved portions of the construction area and adjacent streets of all mud and debris, since this material can be pulverized and later resuspended by vehicle trips; and<br>• covering trucks hauling debris, construction materials or earth. |
| **5. NATURAL RESOURCES** | |
| No impacts associated with natural resources were identified. | |

| Potential Impacts | Mitigation Measures |
|---|---|
| **6. VISUAL RESOURCES/AESTHETICS** | |
| No impacts associated with visual resources or aesthetics were identified. | |
| **7. CULTURAL RESOURCES** | |
| Previously unknown resources could be encountered during demolition or excavation. | Required Mitigation Measure CUL-1: If cultural resources are encountered during demolition, excavation or other site work, construction should cease immediately until a cultural resource consultant is contacted and has an opportunity to evaluate the site and make further recommendations. |
| **8. SAFETY/RISK OF UPSET** | |
| During demolition, construction workers and nearby residents could be exposed to hazardous materials from airborne lead dust or asbestos. Improper disposal of debris containing hazardous materials could result in air, soil, or groundwater contamination elsewhere. | Required Mitigation Measure HAZ-1: The contractor should be required to develop and adhere to a debris containment and demolition pollution control plan for building demolition. If demolition takes place during the wet season, the Port should require the contractor to prepare a Storm Water Pollution Prevention Plan (SWPPP) as discussed in Mitigation Measure HYDRO-1. |
| | Required Mitigation Measure HAZ-2: Prior to the issuance of a demolition permit, the Port shall require the project applicant to provide a sampling of both the exterior and interior paints on each building proposed for demolition. An analysis should be conducted to determine whether paint surfaces contain significant concentrations of lead. |
| | Required Mitigation Measure HAZ-2: If significant concentrations of lead are found in the paint samples, the project contractor should be required to comply with the Lead in Construction Standard (29 CFR Parts 1910, 1915, 1917, and 1918) for building demolition. The contractor should be required to submit a plan demonstrating the following: (1) dust from lead-based paint will not be released into the environment at concentrations greater than the OSHA standard; (2) collected dust will be disposed of as hazardous waste; (3) construction debris containing lead-based paint will be disposed of as required by the California Health and Safety Code, Chapter 6.5; and (4) other controls will be implemented as necessary to prevent the release of lead into the local environment. |
| **9. LIGHT/GLARE** | |
| There are no residential uses immediately adjacent to the site, therefore, lighting from the proposed project would not significantly impact any sensitive residential receptors. To avoid excessive glare or light spillage onto adjacent sites, the following mitigation measures are recommended for all newly installed lighting fixtures. | Recommended Mitigation Measure LIGHT-1: All outdoor lighting should be directed down and screened away from adjacent properties and streets. Intensity should not be greater than is required for vehicle and pedestrian safety, and the heights of the lights should be the minimum required to efficiently light parking areas and building entries. |

| Potential Impacts | Mitigation Measures |
|---|---|
| | Recommended Mitigation Measure LIGHT-2: Any up-lighting should be concealed or otherwise positioned in such a manner that the light source cannot be seen from any property line. |
| | Recommended Mitigation Measure LIGHT-3: Floodlighting or spot lighting of architecture, graphics, or natural features should not create spillage of light onto adjacent properties. |
| **10. TRANSPORTATION/PARKING** | |
| No impacts associated with traffic or parking were identified. | |
| **11. PUBLIC SERVICES/PUBLIC ACCESS AND RECREATION** | |
| The conceptual design for the proposed public access area is consistent with relevant Bay Plan and Bay Trail policies and no significant impacts were identified. To ensure that public access is designed and constructed in a manner consistent with these policies, the following mitigation measures are recommended. | Recommended Mitigation Measure SERVICE-1: Public access improvements should be constructed to specifications consistent with San Francisco Bay Plan policies and the Design Guidelines established for the Bay Trail. The trail should be a minimum width of 10 feet and appropriate signage should be installed and maintained by the operator of the hotel. |
| | Recommended Mitigation Measure SERVICE-2: The hotel operator or the property lessee should be responsible for the on-going maintenance of the public access and parking areas. |
| | Recommended Mitigation Measures SERVICE-3: The westerly end of the Bay Trail should be clearly signed so that users can follow its connection to the Embarcadero. |
| **12. PUBLIC UTILITIES** | |
| The foundation or other load-bearing members of the proposed hotel could adversely effect the structural or functional integrity of the 36-inch storm drain line that crosses the site. | Recommended Mitigation Measure UTILITY 1: The foundation and other load-bearing members of the proposed hotel shall be designed as to in no way adversely effect the structural or functional integrity of the existing 36-inch storm drain. |
| **13. POPULATION/HOUSING** | |
| No population or housing impacts would result from the proposed project. | |
| **14. LAND USE/OPEN SPACE** | |
| The proposed project is consistent with the area's commercial land use designation and will not have any significant adverse impact. | |
| **15. GENERAL PLANS AND PLANNING POLICY** | |
| The proposed project is consistent with all applicable plans and policies. | |

## D. EVALUATION OF POTENTIAL PROJECT IMPACTS AND RECOMMENDED MITIGATION MEASURES

■ ■ ■

The Port of Oakland's Initial Study Checklist, which is included in Section E, was used to focus this assessment to those impacts of the proposed project identified as potentially significant. The significance criteria listed in Appendix G of the Guidelines to the California Environmental Quality Act (CEQA) were used to determine the level of significance of potential impacts.

Mitigation measures are categorized as "required" and "recommended." Required measures are those required to avoid significant impacts. Recommended measures are those that would improve the project.

### 1. Geology, Seismicity and Soils

The following information was abstracted from available data, reports, maps, and a review of the Phase I Environmental Site Assessment[1] and Phase II Site Investigation[2] reports prepared to evaluate the project site.

a. Setting.

(1) Geology. The site is located on the east shore of San Francisco Bay within the Oakland Inner Harbor along the north shore of the Brooklyn Basin. The area was formerly an estuarine tidal marsh until filling and the construction of a sea wall occurred in 1919.

The project area overlies sediments of the Bay floor and alluvium deposits. Three distinct geologic formations are recognized in the project area:

- Alluvium (Qal). This Quaternary unit consists of unconsolidated clay, silt, sand, and gravel occurring as alluvium along drainages and alluvial fan deposits, and in many areas covering marine terrace deposits.

[1] Port of Oakland, *Phase I Environmental Site Assessment,* July 1994.

[2] Alisto Engineering Group, *Phase II Site Investigation,* March 1995.

- Bay Mud (Qm). This Mid-Pleistocene to Holocene unit includes Pleistocene marine and marine terrace deposits. It is mainly silty carbonaceous clay with very minor amounts of sand. It contains shell fragments and lenses of peat and sand.
- Artificial Fill (Qal). This recent unit includes dam embankments and associated structures, soil and wood debris, berms along drainages, scattered wood debris piles, dredged bay muds, rubble, and concrete foundation remnants.

(2) Seismicity. The project site is located in a seismically active region, as is the rest of San Francisco Bay Area. The Hayward Fault is the closest active fault, and it is located approximately 4 miles northeast of the site. The Calaveras and San Andreas Faults are approximately 14 miles northeast and 14 miles southwest of the site, respectively.

(3) Soils. Soils in the project vicinity generally consists of organic-rich clay and fine sand to approximately 15 feet below grade. Gravelly sediments were also occasionally encountered in the soil borings taken as part of the Phase II Site Investigation.[3]

b. Impacts and Mitigation Measures. Projects constructed on fill in the Bay Area hold the potential to expose humans and property to seismic hazards. Design and construction of the hotel will incorporate engineering features aimed at addressing seismic risks to ensure the proposed project will not result in significant adverse seismic safety impacts.

Because the proposed project is located on land that was formerly tidal marshes, the tendency for minimal events, such as soil creep, may occur over an extended period of time. The building will be designed and engineered to meet applicable standards for construction on Bay fill to minimize impacts from soil creep, liquefaction and settlement.

> Required Mitigation Measure GEO-1: Engineering specifications should be prepared for all project structures and improvements to address the site's baseline soil and groundwater characteristics identified in the Phase II Investigation and to meet all applicable seismic standards set forth in the Uniform Building Code. This will reduce potential impacts from seismic activity and liquefaction to a less than significant level.

[3] Alisto Engineering Group, March 1995.

## 2. Hydrology

This section summarizes the environmental issues related to water quality of the proposed project. It is based on a site visit, discussions with Port staff, and review of the Phase I Environmental Site Assessment and Phase II Site Investigation reports that were prepared to evaluate potential contamination at the project site. The focus of this section is on sedimentation and water quality.

a. Setting. Water quality in the Inner Harbor is affected by urban runoff, direct discharges from human activity on the shoreline, poor circulation, and seasonal and diurnal temperature fluctuations. In addition, as a result of widespread, documented sediment contamination, the Inner Harbor has been identified as a known toxic "hot spot" by the San Francisco Bay Regional Water Quality Control Board (RWQCB).[4] Sediments in the Inner Harbor are contaminated with heavy metals (cadmium, chromium, copper, lead, mercury, and silver), polycyclic aromatic hydrocarbons (PAHs), polychlorinated biphenyls (PCBs), tributyltin (TBT), and pesticides.

A Phase II Site Investigation was completed to evaluate potential contamination of the subsurface soil and groundwater at the project site. Saturated soil conditions were encountered during field borings at approximately ten feet below grade, with the groundwater stabilizing between approximately eight and 12 feet below grade.[5] The concentrations of chemicals of concern, as identified in Title 26 of the California Code of Regulations, were below the detection limits set forth in Title 26 in all of the temporary wells or soil samples.

b. Impacts and Mitigation Measures. Demolition and construction for the proposed project could generate contaminants that could pollute storm water runoff or be discharged directly into the Bay.

> Required Mitigation Measure HYDRO-1: The contractor should prepare, and the Port should review, a construction Stormwater Pollution Prevention Plan (SWPPP) following the guidelines in the State's General Construction Activity Storm Water Permit.

[4] San Francisco Bay Regional Water Quality Control Board, *Bay Protection and Toxic Cleanup Program - Status Report*, October 1993.

[5] Alisto Engineering Group, March 1995.

Adherence to the construction SWPPP by the contractors should mitigate pollutants generated as a result of demolition and construction activities at the site to a level of insignificance.

The Phase II Site Investigation concluded that the concentrations of chemicals of concern detected in the groundwater are not considered to be a potential hazard or a threat to public health and safety during development of the property.

**3. Biology**

a. Setting. The project site is currently fully developed and does not provide known habitat for any rare or endangered plant or animal species. There is some ornamental landscaping existing on-site which consists of trees, common shrubs, ground cover, and ice plant along the shoreline. There are approximately 28 trees including pines, sycamores, and eucalyptus within the proposed lease area. The perimeter of the parking area and the areas adjacent to 10th Avenue and Embarcadero are also landscaped with sycamore, pine and eucalyptus trees.

A landscaped area that ranges in width from 30 to 70 feet is proposed along the land side of the shoreline path. Approximately 14 new trees of unspecified type would be planted within this area together with lawn and various ornamental plantings as shown in Figure 4.

b. Impacts and Mitigation Measures. Four of the existing trees on-site fall within the proposed building footprint and therefore are proposed to be removed. In addition, one pine tree is proposed to be removed to accommodate realignment of the shoreline path.

The removal of five trees would be mitigated by the 14 trees proposed in the new landscaped area. The project would therefore result in no significant adverse impact on plant and animal life.

**4. Noise/Air**

a. Setting.

(1) Noise. The proposed project is located in an area of primarily commercial and industrial uses. The project site and immediate environs are subject to noise from vehicular traffic on Embarcadero and Interstate 880, nearby train traffic, and various industrial operations in the project's vicinity.

The City of Oakland's Noise Element, which was adopted as part of the City's Comprehensive Plan in 1974, identifies the area along Embarcadero as an existing critical noise impact area which falls within an existing noise contour of 65 or more dBA.

(2) Air Quality. The project site is located within the San Francisco Bay Air Basin. The local air quality agency is the Bay Area Air Quality Management District (BAAQMD).

The BAAQMD has published guidelines for assessing air quality impacts of projects and plans.[6] These guidelines include threshold levels for the submission of environmental documents for review by the BAAQMD. These thresholds represent minimum size or activity levels which could be interpreted as potentially significant. Projects not exceeding these thresholds can be considered as having insignificant air quality impacts. The BAAQMD thresholds for submission are based on a project size that attracts 2,000 or more daily vehicle trips.

b. Impacts and Mitigation Measures.

(1) Noise. The noise impacts created by the proposed project are likely to be limited to the construction phase. These are expected to be minimal and short-term and are not anticipated to result in any significant adverse impacts especially since the project is not within the vicinity of any noise sensitive land uses (e.g., residences, schools, hospitals, etc.).

Although the proposed hotel operation itself is not anticipated to result in a significant increase in existing noise levels, future guests could be exposed to unacceptably high noise levels from surrounding uses. Noise from trains running on the adjacent tracks at intermittent periods are likely to affect guests staying in the hotel. Traffic along I-880 would also contribute to noise levels, particularly for those guests staying in rooms that face the freeway and Embarcadero. The project site is also located near the Ninth Avenue Terminal, a loading area for ships and trucks. The movement of large trucks could raise noise to significant levels.

State Community Noise Standards, shown in Table 2, define acceptability of conventional construction in areas with given noise levels. If certain levels are

[6] Bay Area Air Quality Management District, *Air Quality and Urban Development-Guidelines for Assessing Impacts of Projects and Plans,* November 1985.

**Table 2**
**LAND USE COMPATIBILITY STANDARDS: COMMUNITY NOISE**

| Land Use | Noise Exposure $L_{dn}$ (dBA) | | | | | | |
|---|---|---|---|---|---|---|---|
| | 50 | 55 | 60 | 65 | 70 | 75 | 80 |
| Transient Lodging | a | a | b | b | c | c | d |
| Schools, Libraries, Hospitals | a | a | b | b | c | c | d |
| Offices | a | a | a | a | b | c | d |

KEY:
a. Normally Acceptable - land use is satisfactory, buildings need no special noise insulation.
b. Conditionally Acceptable - new construction should be undertaken only after acoustic analysis and installation of noise insulation. Conventional construction but with closed windows and fresh air supply systems or air conditioning will normally suffice.
c. Normally Unacceptable - new construction should be discouraged. If construction does proceed, acoustic analysis to determine the insulation needed is required.
d. Clearly Unacceptable - new construction should not be undertaken.

Source: Office of Noise Control, California Department of Health Services.

exceeded, construction methods must be used to reduce long-term indoor noise levels to an acceptable level. The project site falls within the 65 dBA noise contour; therefore, acoustic analysis and installation of noise insulation will be required.

> Required Mitigation Measure NOISE-1: An acoustical analysis should be prepared and adequate noise insulation features, which will reduce the interim noise levels to less than 55 dBA, included in the construction specifications. This will ensure that users of the hotel are not exposed to unacceptable noise levels.

(2) Air Quality. The proposed project would have negligible regional and local air quality impacts as a result of increased traffic. The project does not exceed the 2,000 daily vehicle trips threshold that requires regulation by the BAAQMD. It is estimated that the hotel would generate approximately 910 new vehicle trips per day, which is well below the 2,000 daily vehicle trips threshold. As a result, the increase in automobile emissions would not be significant.

Emissions during construction of the hotel from demolition, excavation and construction activities would generate fugitive dusts causing short-term, minor air quality impacts. Other short-term construction impacts would include

increased hydrocarbon and odor emissions from building materials, construction equipment, and construction vehicles.

Required Mitigation Measure AIR-1: To minimize construction dust impacts, the following dust control measures should be implemented during construction:

- watering all exposed or disturbed soil surfaces as necessary to eliminate visible dust plumes;
- watering or covering stockpiles of debris, soil, sand or other materials that can be blown by the wind;
- suspending any earthmoving or other dust-producing activities during periods of high winds (15 mph or more) when watering cannot eliminate visible dust plumes;
- sweeping paved portions of the construction area and adjacent streets of all mud and debris, since this material can be pulverized and later resuspended by vehicle trips; and
- covering trucks hauling debris, construction materials or earth.

**5. Natural Resources**

a. Setting. Pacific Gas and Electric currently supplies gas and electricity to each of the three existing buildings located on the project site.

b. Impacts and Mitigation Measures. Although the proposed project will consume a greater amount of energy than the uses currently on-site, it is not anticipated that the increased level of usage would have a significant impact on energy resources. Construction equipment will consume fuels; however, the size of the project and duration of construction would not require fuel consumption at a level sufficient to result in significant impacts on energy resources.

The project would require the use of various construction materials, which may include some natural resources. However, the amount of materials will not be significant and will not result in any significant adverse impact on natural resources.

**6. Visual Resources/Aesthetics**

a. Setting. The project area is most visible from Embarcadero and Interstate 880 to the north, and from Government Island to the south. Views through the site of the Inner Harbor and associated shipping activities are

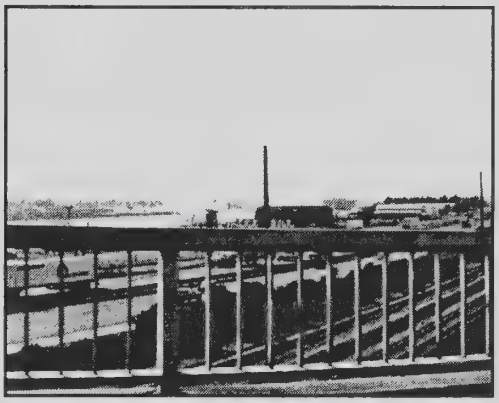
generally limited. The harbor area can be seen while on the project site through two view corridors. One view corridor, approximately 130 feet wide, is located between the Capri restaurant and The Ark restaurant. The other corridor is approximately 120 feet wide and is located between The Ark restaurant and the Integre Marine building. Views through both of these corridors are partially obstructed by trees, fences and parked cars. As the viewer moves closer to the harbor, views become less obstructed.

Foreground views of the project area from Embarcadero and Interstate 880 include a large, sparsely landscaped parking lot between Embarcadero, the Capri and The Ark restaurants, and Integre Marine's outdoor sales area. A tree-lined sidewalk, interrupted by three driveway cuts, lines the south side of the Embarcadero (adjacent to the project area). Commercial trucks and trailers frequently park along the Embarcadero. These trucks also block views of the harbor. The site and surrounding streets have an industrial and disorganized appearance due to truck parking, large parking lots and uncoordinated structures and landscaping. There are no unobstructed views of the harbor across the project area from the Embarcadero. Views from Government Island of the project area are of boat slips, a meandering boardwalk, rip rap banks, trees that line the bank, and restaurants.

Middleground views of the project area from the Embarcadero include views of the Capri and The Ark restaurants. The approximately 130 foot wide space between the buildings has been planted with trees. The buildings themselves are not architecturally distinguished. They are wood-framed and light colored, with low sloping roofs. The Integre Marine building is located approximately 120 feet from The Ark restaurant. Views of this building are screened by pine trees and boats on trailers. A small public access area is located between The Ark restaurant and Integre Marine, but it is not easily seen from Embarcadero. Sections of the harbor can be seen between the restaurants and the boat sales yard. However, these views are screened by the pine trees and low shrubs that line the water's edge. Views through the site are also limited by cars and trucks in the parking lot.

View A

View B



View C

View D

Obstructed views of the site can be seen from the mixed residential and commercial neighborhood north of Interstate 880. Limited views of the harbor are available from this area. Potential views of the harbor from East 8th Street are blocked by walls and fences that line the rail yard, waterfront buildings, parking lots, cargo trucks and trailers, boats being stored on trailers, and trees, as shown in Figure 6 and View A. However, the harbor can be seen over the rooftops of buildings that line the harbor from the intersection of 12th Avenue and East 12th Street, as shown in Figure 6 and View B. The best panoramic views of the harbor area are available when travelling across the 16th Avenue Interstate 880 overcrossing, as shown in Figure 6 and View C. Intervening trees, fences and buildings block views of the harbor from Vantage Point Park, located at the intersection of 14th Avenue and East 12th Street, as shown in Figure 6 and View D.

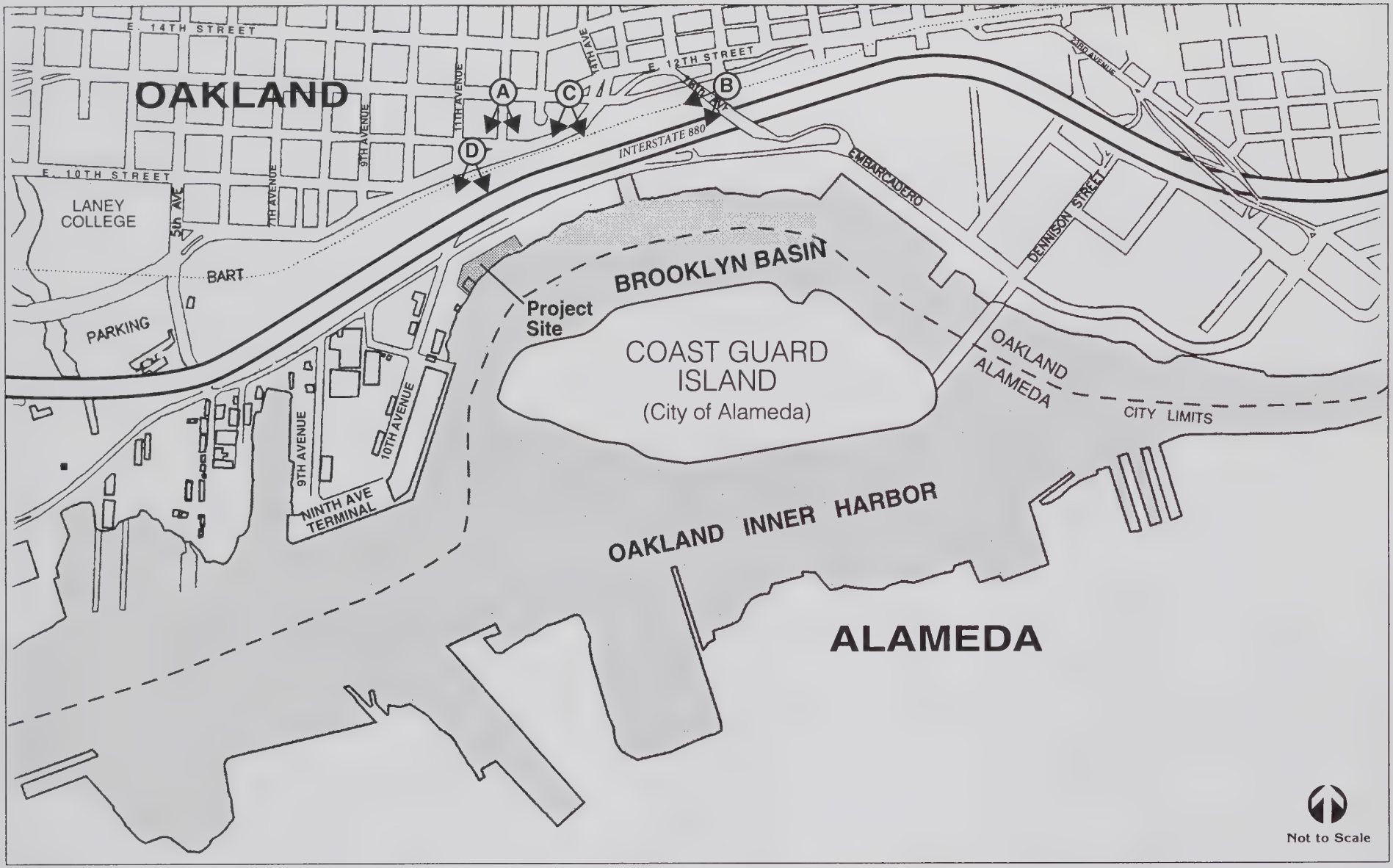



Figure 6

A Viewpoint Location

Marriott Residence Inn

PORT OF OAKLAND
INITIAL STUDY

Location of Viewpoints

BRADY AND ASSOCIATES, INC.

b. Impacts and Mitigation Measures. The proposed project would substantially alter the appearance of the project area. The area's disorganized appearance would be replaced with two, architecturally similar, low-rise buildings, parking areas and landscape improvements as illustrated in Figures 4 and 5. Two of the area's existing partially screened views of the harbor would be eliminated, but a new unobstructed, 70-foot wide view corridor into the harbor and public access area would be created. Public access along the harbor would also be improved, increasing the scenic value of the harbor area. Consequently, the proposed project would result in a beneficial impact on the existing scenic environment.

In the proposed project, the Capri and The Ark restaurants and Integre Marine would be demolished and replaced with a hotel. The marina would remain. The proposed project would consist of a pair of three-story, 35-foot tall wood clad buildings, separated from one another by a 70-foot view corridor. Their massing and architectural character would appear to be generally residential in appearance, unlike the buildings currently found on the site and on surrounding parcels. Each building would have wood lap-board siding, field stone detailing, sloping roofs, and divided light windows. The major building entry would be defined by a porte cochere that would consist of stone columns, an exposed beam truss and an ornamental cupola.

The overall effect of the proposed action on views from the residential and commercial area north of Interstate 880 will not be significant. The views from this area are significantly obstructed by existing development and landscaping as discussed in the setting section. The increased height of the proposed buildings will further obstruct these views, but the overall impact will not be significant.

The proposed view corridor would be located near the existing public access area, generally east of The Ark restaurant. An esplanade would be created between the buildings, allowing an unobstructed view of this portion of the harbor area and access to a walkway to be created along the waterfront. Other existing views of the harbor, such as the view visible between The Ark and the Capri restaurants, would be blocked by the new buildings. The proposed action would introduce a uniform landscape program to the site consisting of street trees, a reconfigured parking lot, public paths and seating, and project-wide planting.

## 7. Cultural Resources

a. Setting. The project site was previously part of the Oakland Inner Harbor. According to an 1874 Alameda County map, the site and surrounding area were marshlands approximately five feet deep. In 1919, a sea wall was built and the area was filled with dredge spoils. There are no known historic, archaeological or paleontological resources at the project site.

b. Impacts and Mitigation Measures. It is not anticipated that any archeological resources will be disturbed since development of the site will not involve significant grading or earthwork. The following mitigation measure would mitigate potential impacts that could occur if previously unknown resources are encountered.

> Required Mitigation Measure CUL-1: If cultural resources are encountered during demolition, excavation or other site work, construction should cease immediately until a cultural resource consultant is contacted and has an opportunity to evaluate the site and make further recommendations.

## 8. Safety/Risk of Upset

a. Setting.

(1) Building Demolition. The proposed project would involve the demolition of three buildings. Potentially hazardous materials and other potential pollutants associated with the buildings and the immediate area may include lead-based paint, asbestos, and contaminated soils. Hazardous materials are defined in Chapter 6.95 of the California Health and Safety Code.

Asbestos surveys were conducted for each of the three buildings proposed for demolition as part of the project. A total of five types of asbestos-containing building materials were identified.[7]

[7] Alisto Engineering Group, *Asbestos Survey Report: Marriott Hotel Development Site,* March 1995.

(2) Soil Contamination. The project may also involve some excavation and movement of soil. The Phase II Site Investigation prepared for the site provided a comparison of the highest concentrations of metals detected in the soil samples and the corresponding total threshold limit (TTLC) set forth in Title 26 of the California Code of Regulations (CCR, Title 26). Concentrations found in the soil samples were below criteria for hazardous waste classification.

b. Impacts and Mitigation Measures.

(1) Building Demolition. During demolition, construction workers could be exposed to hazardous materials. Project workers and nearby residents or workers could be exposed to airborne lead dust or asbestos. Improper disposal of debris containing hazardous materials could result in air, soil, or groundwater contamination elsewhere. Specific impacts and mitigation measures are addressed below. Demolition of the three existing buildings, which are close to Bay waters, could result in wastes entering the Bay. Lead dust and other hazardous materials could accumulate near the shoreline and be washed or fall into the Bay waters.

> Required Mitigation Measure HAZ-1: The contractor should be required to develop and adhere to a debris containment and demolition pollution control plan for building demolition. If demolition takes place during the wet season, the Port should require the contractor to prepare a Storm Water Pollution Prevention Plan (SWPPP) as discussed in Mitigation Measure HYDRO-1.

Implementation of the a SWPPP would reduce the potential impacts to an insignificant level.

Building demolition could result in the release of lead-based paint. Lead could be released in dust form as the buildings are being demolished. This potential release presents risks to the project workers and other workers in the area. The dust fallout could directly impact nearby surface water and indirectly impact surface water by being washed from surfaces during rain storms.

> Required Mitigation Measure HAZ-2: Prior to the issuance of a demolition permit, the Port shall require the project applicant to provide a sampling of both the exterior and interior paints on each building proposed for demolition. An analysis should be conducted to determine whether paint surfaces contain significant concentrations of lead.

Required Mitigation Measure HAZ-2: If significant concentrations of lead are found in the paint samples, the project contractor should be required to comply with the Lead in Construction Standard (29 CFR Parts 1910, 1915, 1917, and 1918) for building demolition. The contractor should be required to submit a plan demonstrating the following: (1) dust from lead-based paint will not be released into the environment at concentrations greater than the Occupational Safety and Health Administration (OSHA) standard; (2) collected dust will be disposed of as hazardous wastes; (3) construction debris containing lead-based paint will be disposed of as required by the California Health and Safety Code, Chapter 6.5; and (4) other controls will be implemented as necessary to prevent the release of lead into the local environment.

Implementation of the preceding control measures would reduce the potential impacts to an insignificant level.

(2) Soil Contamination. The highest concentrations of metals of concern, including cadmium, chromium, lead, dissolved lead, nickel, and zinc, that were detected in the soil samples within the soluble threshold limit concentration (SLTC, CCR, Title 26) values and California Department of Health Services for maximum contaminant level for hazardous waste classification. Therefore, disposal of excavated soil need not be restricted.[8]

**9. Light/Glare**

a. Setting. Existing sources of light on the site include one business that operates during regular business hours, and two restaurants that are open during evening hours. Lighting is provided in the parking area for restaurant patrons at night. Lights are pole-mounted at approximately 15 feet in height.

b. Impacts and Mitigation Measures. There are no residential uses immediately adjacent to the proposed project site; therefore, lighting from the proposed project would not significantly impact any sensitive residential receptors. In addition, the proposed project will not substantially increase the current levels of night lighting. However, to avoid excessive glare or light spillage on to adjacent sites, the following mitigation measures are recommended for all newly installed lighting fixtures.

[8] Alisto Engineering Group, *Phase II Site Investigation Report,* March 1995.

Recommended Mitigation Measure LIGHT-1: All outdoor lighting should be directed down and screened away from adjacent properties and streets. Intensity should not be greater than is required for vehicle and pedestrian safety, and the heights of the light standards should be the minimum required to efficiently light parking areas and building entries.

Recommended Mitigation Measure LIGHT-2: Any up-lighting should be concealed or otherwise positioned in such a manner that the light source cannot be seen from any property line.

Recommended Mitigation Measure LIGHT-3: Floodlighting or spot lighting of architecture, graphics, or natural features should not create spillage of light onto adjacent properties.

**10. Transportation/Parking**

a. Setting. The project site is located along Embarcadero southeast of the Interstate 880 southbound on-ramp located at 10th Avenue. Existing access to the site includes three driveways that provide for ingress and egress directly to the Embarcadero. Two of the driveways access the existing parking lot that is shared by the Reef restaurant, The Ark restaurant, the Capri restaurant and the marina. The third driveway, located at the southern edge of the property, provides access to the Integre Marine outdoor yacht sales area.

(1) Traffic Counts/Data Collection. For purposes of this analysis, the Port of Oakland conducted traffic counts at the following four intersections:

- Embarcadero and 5th Avenue
- Embarcadero and Interstate 880 northbound off-ramp
- Embarcadero and 10th Avenue and Interstate 880 southbound on-ramp
- Embarcadero and Interstate 880 southbound off-ramp

The counts were conducted from September 20 to October 2, 1995. The counts included total traffic volumes by turning movement. The peak hour of traffic varied depending on the intersection studied, but occurred between 4:00 p.m. and 6:00 p.m.

(2) Existing Intersection Level of Service. Traffic level of service (LOS) is a concept used to qualitatively evaluate the performance of an intersection during the peak period of highest traffic volumes (usually one hour). Available information indicates that most intersections in the Port area are generally performing satisfactorily. There are six levels of service, from "A" (best) to "F" (poorest), as indicated in Table 3.

Generally, urban intersections operating at LOS D or better are considered to have acceptable delays. Existing weekday PM peak hour intersection levels of service operation are LOS D or better for all analyzed intersection approaches and/or turning movements.

(3) Parking. A large paved parking lot occupies the northwest portion of the project site and the adjacent parcel that is occupied by the Reef restaurant. There are approximately 191 existing spaces that provide parking for the marina, users of the public access area, and patrons of the Reef, the Capri, and The Ark restaurants.

b. Impacts and Mitigation Measures.

(1) Traffic. A traffic analysis was conducted by Crane Transportation Group to assess the impact of the proposed project on existing traffic conditions.[9] The proposed project would generate 910 new daily vehicle trips. Assuming 100 percent occupancy of the hotel and that Integre Marine will relocate within the Embarcadero Cove area, the net increase in PM peak hour vehicle trips would be 71 vehicle trips, 43 inbound and 28 outbound.

The project would not have a significant impact on the level of service at study intersections, since all the intersections would operate at LOS D or better, as shown in Table 4. Project traffic would have little or no effect on six of the nine intersections. The greatest increase in delay would occur at the Embarcadero/10th Avenue/Interstate 880 southbound on-ramp intersection where average delay would increase by a little over four seconds, causing the service level to slip from C to D. The level of service on Embarcadero westbound at the I-880 southbound ramp would decrease from LOS C to LOS D with a net increase in intersection delay of five seconds. These changes are not considered a significant impact for a stop sign controlled intersection.

[9] Crane Transportation Group, *Marriott Residence Inn Traffic Analysis,* October 1995.

## Table 3
## LEVEL OF SERVICE DEFINITIONS
## UNSIGNALIZED INTERSECTIONS (ONE OR TWO-WAY STOP)

| Level of Service | Expected Delay |
|---|---|
| A | Little or no delay |
| B | Short traffic delay |
| C | Average traffic delays |
| D | Long traffic delays |
| E | Very long traffic delays |
| F | Extreme delays potentially affecting other traffic movements in the intersection |

Source: *Highway Capacity Manual*, Special Report 209, Transportation Research Board Washington D.C., 1985.

## Table 4
## INTERSECTION LEVEL OF SERVICE

| Intersection | Existing | | Existing + Project | |
|---|---|---|---|---|
| | LOS | Delay (seconds) | LOS | Delay (seconds) |
| Embarcadero EB/5th Avenue | C | 11.4 | C | 12.0 |
| Embarcadero WB/5th Avenue | B | 5.6 | B | 5.7 |
| 5th Avenue NB/Embarcadero | A | 2.2 | A | 2.2 |
| 5th Avenue SB/Embarcadero | A | 2.2 | A | 2.2 |
| Embarcadero/I-880 NB Off-Ramp | B | 7.3 | B | 8.9 |
| Embarcadero/10th Avenue NB Left/I-880 SB On-Ramp | C | 19.7 | D | 24 |
| Embarcadero/10th Avenue NB Through/I-880 SB On-Ramp | B | 8.4 | B | 8.6 |
| Embarcadero WB Through/10th Avenue/I-880 SB On-Ramp | D | 20.8 | D | 25.8 |
| Embarcadero/I-880 SB Off-Ramp | B | 7.3 | B | 7.3 |

Source: Crane Transportation Group.

(2) Parking. The Port completed a parking demand study in February 1995 which projects the need for 144 parking stalls.[10] The study assumed a 124 room hotel, the Reef restaurant, and 46 marina berths on the site, and assumed a mixed-use parking demand. It is estimated that the new project with 122 units, removal of the Capri and The Ark restaurants, and relocation of Integre Marine, will require a total of 142 parking spaces. The proposed site plan provides 122 spaces and there are approximately 39 spaces adjacent to the Reef restaurant. Therefore, a total of 161 spaces will be available for use by the hotel, the Reef, the marina, and users of the public access area. Proposed parking provisions will be adequate to meet parking demand.

## 11. Public Services

This section focuses on police and fire protection, and public access and recreation. The proposed project will have no direct impact on schools.

a. Setting.

(1) Police and Fire Protection. Fire and police protection for the proposed project site is currently provided by the City of Oakland. The City's Police Department has 35 beats city-wide and approximately 600 sworn police officers. Current dispatch times throughout the City are well within the City's standards.[11] The nearest fire station to the project site is Station 4 at 1235 East 14th Street.

(2) Public Access and Recreation. There is an existing public access area on the project site that consists of a small landscaped area with two picnic tables located between Integre Marine and The Ark restaurant. This area provides access to an existing shoreline path that forms the southern edge of the project site. This path is one of several public access paths that have been developed along portions of the Embarcadero Cove.

Public access along the shoreline of the San Francisco Bay is regulated by several policy documents including the City of Oakland Comprehensive Plan,[12] the San Francisco Bay Plan,[13] and The Bay Trail.[14] Each of these

[10] Port of Oakland, *Parking Demand Study for Marriott Residence Inn*, February 1995.

[11] Richard Zamora, Oakland Police Department, personal communication, November 1995.

[12] City of Oakland, *Oakland Comprehensive Plan*, October 1972.

documents is described in Section C.15, General Plans and Planning Policy, of this document. Relevant public access policies found in each of these policy documents are listed below.

**San Francisco Bay Plan**

- *In addition to the public access to the bay provided by waterfront parks, beaches, marinas, and fishing piers, maximum feasible access to and along the waterfront and on any permitted fills should be provided in and through every new development in the Bay or on the shoreline, whether it be for housing, industry, port, airport, public facility, or other use, except in cases where public access is clearly inconsistent with the project because of public safety considerations or significant use conflicts. In these cases, access at other locations preferably near the project, should be provided whenever feasible. (Policy 1)*
- *Whenever public access to the bay is provided as a condition of development, on fill or on the shoreline, the access should be permanently guaranteed. This should be done wherever appropriate by requiring dedication of fee title or easements at no cost to the public, in the same manner that streets, park sites, and school sites are dedicated to the public as part of the subdivision process in cities and counties. (Policy 3)*
- *Public access improvements provided as a condition of any approval should be consistent with the project and the physical environment, including protection of natural resources, and provide for the public's safety and convenience. The improvements should be designed and built to encourage diverse bay-related activities and movement to and along the shoreline, should permit barrier free access for the physically handicapped to the maximum feasible extent, should include an ongoing maintenance program, and should be identified with appropriate signs. (Policy 4)*
- *Access to the waterfront should be provided by walkways, trails, or other appropriate means and connect to the nearest public thoroughfare where convenient parking or public transportation may be available. (Policy 6)*
- *The Public Access Supplement to the Bay Plan should be used as a guide in determining whether a project provides maximum feasible public access. The Design Review Board should advise the Commission regarding the adequacy of the public access proposed. (Policy 9)*

[13] San Francisco Bay Conservation and Development Commission, *San Francisco Bay Plan*, January 1969 as amended through 1994.

[14] Association of Bay Area Governments, *The Bay Trail: Planning for a Recreational Ring around San Francisco Bay*, July 1989.

**The Bay Trail Plan**

Trail Alignment

- *Ensure a feasible, continuous trail around the Bay. (Policy 1)*
- *Locate trail, where feasible, close to the shoreline. (Policy 3)*

Trail Design

- *Provide access wherever feasible to the greatest range of trail users on each segment. (Policy 12)*
- *Create a trail that is as wide as necessary to accommodate safely the intended use, with separate alignments, where feasible to provide alternative experiences. (Policy 14)*
- *Highlight the interpretive potentials of certain trail segments, including opportunities for interpretation, education, rest, and view enjoyment. (Policy 15)*
- *Incorporate necessary support facilities, using existing parks, parking lots, and other staging areas wherever possible. (Policy 16)*

The Bay Trail Design Guidelines are summarized in Table 5.

b. Impacts and Mitigation Measures.

(1) Police and Fire Protection. The proposed project would not result in any significant adverse impacts on police and fire services. Although the hotel would require demand for fire and police protection, this increased demand would not be significant and the City would be able to provide services.

(2) Public Access and Recreation. The direct effect of the proposed project on public access would be beneficial. The applicant is proposing to enlarge and improve the existing public access area. The renovated public access area will be an average of 40 feet wide and will join the waterfront area directly with the Embarcadero. Improvements are also proposed for the existing waterfront path including new pavement with a minimum width of ten feet, benches, trash containers, picnic tables, lighting and various landscape improvements, as shown on the proposed site plan in Figure 4.

**Table 5**
**BAY TRAIL DESIGN GUIDELINES**

| Item | High-use Facilities (separate paths)* | Multi-Use Paths* | Bicycle-only Paths* | Hiking-only Paths | Natural Trails |
|---|---|---|---|---|---|
| Min. width (one-way) | 8-10 ft. | 10 ft. | 8 ft. | 5 ft. | 3-5 ft.[a] |
| Min. width (two-way) | 10-12 ft. | 10-12 ft. | 10-12 ft. | 8-10 ft. | 5 ft. |
| Surface | asphalt[b] | asphalt | asphalt | hardened | natural or boardwalks[c] |
| Horiz. clearance (incl. shoulders) | 12-16 ft. | 14-16 ft. | 10 ft. | 9-12 ft. | 7-9 ft. |
| Shoulder | 2 foot area on both sides of the trail | | | | unspecified |
| Vert. clearance | 10 ft. | | | | unspecified |
| Cross slope | 2% Maximum | | | | unspecified |
| Max. grades | 5%[d] for short distances with flat rest areas at turnouts | | | | unspecified |

* Standards meet Caltrans Class I Bikeway Standards
[a] Minimum widths that are less than 5 feet will be required to have 5 x 5 turnouts at intervals to meet accessibility standards.
[b] High-use pedestrian path could be hardened surface other than asphalt
[c] Natural surfaces may require surface hardening to provide accessibility
[d] Except where site conditions require a greater slope for short distances.

Source: *The Bay Trail: Planning for a Recreational Ring around San Francisco Bay*, July 1989.

At the public meeting held August 22, 1995, the issue of the continuation of the Bay Trail at the eastern edge of the project site was raised. As proposed, the Bay Trail would extend adjacent to the waterfront within Brooklyn Basin. At 10th Avenue, adjacent to the Ninth Avenue Terminal, it would continue along Embarcadero. Direct access along the shoreline in a western direction is blocked by the Ninth Avenue Terminal. The western portion of the path can be signed for no outlet and therefore it would not inconvenience users and would not be considered a significant impact.

The applicant's conceptual design for the proposed public access area is consistent with relevant Bay Plan and Bay Trail policies. However, to ensure that the public access is designed and constructed in a manner consistent with these policies, the following mitigation measures are recommended.

> Recommended Mitigation Measure SERVICE-1: Public access improvements should be constructed to specifications consistent with San Francisco Bay Plan policies and the Design Guidelines established for the Bay Trail. The trail should be a minimum width of 10 feet and appropriate signage should be installed and maintained by the operator of the hotel.
>
> Recommended Mitigation Measure SERVICE-2: The hotel operator or the property lessee should be responsible for the on-going maintenance of the public access and parking areas.
>
> Recommended Mitigation Measures SERVICE-3: The westerly end of the Bay Trail should be clearly signed so that users can follow its connection to the Embarcadero.

**12. Public Utilities**

a. Setting. Phase I of the Environmental Site Assessment[15] prepared for the proposed project site found that the three existing structures on the project site have central gas powered heating, cooling systems, and EBMUD water and sanitary hookups. There is an existing 36-inch storm drain line that traverses the site from the center of Embarcadero to its outfall which is located at the water's edge adjacent to The Ark restaurant.

b. Impacts and Mitigation Measures. The proposed project will not have a significant impact on existing utilities (e.g., sewer, water, gas, electricity, storm water drainage, solid waste disposal, and communication systems). All necessary utility services currently exist on site. All site runoff would be handled through the City of Oakland's existing storm water collection system.

The foundation or other load-bearing members of the proposed hotel could adversely effect the structural or functional integrity of the 36-inch storm drain line that crosses the site.

[15] Port of Oakland, July 1994.

Recommended Mitigation Measure UTILITY_1: The foundation and other load-bearing members of the proposed hotel shall be designed as to in no way adversely effect the structural or functional integrity of the existing 36-inch storm drain.

**13. Population/Housing**

a. Setting. The site contains no residential land uses.

b. Impacts and Mitigation Measures. No population or housing impacts would result from the proposed project.

**14. Land Use/Open Space**

a. Setting. The existing site is currently utilized by three commercial uses including two restaurants and a yacht dealership. Public access and parking areas and a marina are also located on the site. The public access area consists of two access corridors; one is located between Integre Marine and The Ark restaurant and the other is located between the Capri and The Ark restaurants. These areas are joined together along the water's edge by a shoreline path that runs along the entire southern edge of the site and continues both east and west of the site. There are also two observation decks adjacent to the shoreline path that overlook the marina below.

The project site is bounded by Interstate 880 and Embarcadero to the north, the Hungry Hunter restaurant to the east, Brooklyn Basin and Government Island to the south, and the Reef restaurant to the west. The Ninth Avenue Terminal borders a small portion of the site along its northwest boundary along 10th Avenue.

Traditionally devoted to industrial and maritime uses, the Embarcadero Cove area is now a mixture of industrial and commercial uses including several restaurants, another business hotel, and several retail establishments.

Jack London Square is located approximately four miles to the northwest. Jack London Square is a historic commercial area along the Port, containing numerous restaurants, stores, and a hotel. To the southeast, the area along the Embarcadero is a mixture of industrial and commercial uses including restaurants and retail establishments. The Executive Inn, a business hotel similar to the proposed project, is located approximately 1/2 mile east along the Embarcadero. A mixed residential and commercial neighborhood is located north of Interstate 880 and the railroad tracks.

b. Impacts and Mitigation Measures. The proposed project would result in a change from two restaurants and a yacht dealership to an extended stay hotel. Although the uses of the site will be different, the proposed project is consistent with the area's commercial land use designation and will not have any significant adverse impact.

At a public meeting held on August 22, 1995, the issue of whether the proposed project is consistent with the existing character and "context" of the surrounding neighborhood was raised. The proposed project is consistent with the current character of the Embarcadero Cove and the revitalization and redevelopment strategies for the area.

The proposed project would be consistent with other existing adjacent and nearby land uses including the Reef and Hungry Hunter restaurants, the Executive Inn and Harrison's Marine Center. In addition, the proposed project would improve shoreline access and viewing opportunities. As described in the Embarcadero Master Conceptual Development Plan, the area east of the 9th Avenue Terminal (including the project site) "provides Oakland's only opportunity for public access to the waterfront in a commercial and recreational setting."[16] The proposed hotel is a visitor-serving commercial use that will provide improved public access along the shoreline.

The project will not adversely affect or reduce the amount of industrial uses (west of the Ninth Avenue Terminal) or maritime uses in the area. Industrial users will not have to change their mode of operations or activities as a result of the proposed project. Although Integre Marine will be displaced by the hotel, the site will still support maritime uses in that the existing marina will remain in place. The owners of Integre Marine are considering relocating within the Embarcadero Cove area.

**15. General Plans and Planning Policy**

a. Setting. Public policy regarding land use in the Port of Oakland is expressed in adopted plans and other official documents. The following policies and plans were reviewed to determine the project's consistency with applicable policies and regulations:

[16] Wilsey & Ham, Port of Oakland, *Preliminary Master Plan, Phase I*; February 1968.

- Oakland Comprehensive Plan
- San Francisco Bay Conservation and Development Commission (BCDC) San Francisco Bay Plan and Amendments
- Port of Oakland Master Development Plan
- The Bay Trail Plan

The City is also in the process of updating its Comprehensive Plan. A Public Review Draft of the Open Space, Conservation, and Recreation Element was issued in October 1995, but it has not yet been adopted by the City Council.

Each of these plans is summarized in the impact section followed by a discussion of the project's conformity with relevant policies and regulations.

b. Impacts and Mitigation Measures.

(1) Oakland Comprehensive Plan. The City of Oakland Comprehensive Plan serves as the City's General Plan. It was adopted in 1972 and updated in 1980 when the Land Use Element was adopted. The City is currently in the process of updating the Comprehensive Plan. The Oakland Policy Plan, the major component of the City's Comprehensive Plan, gathers together in a single document all the policies contained in the functional elements of the Comprehensive Plan. The Policy Plan also includes a land use map that shows designations for the allowable use of all land within the City. The project site is located in an area designated for Commercial land use. Relevant policies include the following:

**Land Use Element**

- *In the development of shoreline areas, every reasonable effort should be made to provide attractive public access to the waters-edge. (Natural Setting Policy 7)*
- *Commercial and industrial buildings, signs, and other facilities should be designed to harmonize with, or where appropriate enhance, their surroundings. (Commercial and Industrial Uses, General Policy 3)*
- *Commercial and industrial areas should have adequate parking and loading facilities. (Commercial and Industrial Uses, General Policy 5)*
- *In general the floor-area ratio of commercial development outside the Central District should not exceed 4.0, and in some areas it should be considerably less than that. (Commercial and Industrial Uses, Development Policy 2)*

The proposed project would be consistent with the current commercial land use designation of the site and with these policies. The applicant is proposing to enlarge and improve the existing public access area. The renovated public access area will be an average of 40 feet wide and will join the waterfront area directly with Embarcadero. The architectural design of the buildings, landscape, and streetscape will enhance the area's overall appearance. The area's existing disorganized appearance would be replaced with two, architecturally similar, low-rise buildings, landscape improvements and parking areas. The proposed floor-area ratio is just slightly over 1.0.

**Parks and Recreation Element**

- *A wide range of boating, fishing, and other public and commercial recreation uses should be provided along Oakland's waterfront. (Parks and Recreation System Policy 13)*
- *Public and commercial recreational uses should be located at many different places along Oakland's waterfront, although these locations should be compatible with the reasonable needs of shipping, navigation, commerce, and industry. (Project Location Policy 3)*
- *The map entitled Citywide and Regional Public Parks and Recreation Areas, included in the Oakland Policy Plan, shows the planned location of such lands and facilities. The waterfront edge of the project site is shown as part of the city wide park system. (Project Location Policy 13)*
- *The map entitled Recreational Bikeways indicates the planned location of such routes. The waterfront edge of the project site is shown as a proposed recreational bikeway. (Project Location Policy 14)*
- *All projects to adapt existing parks or recreation areas for heavier use or for new activities should also be designed to enhance the appearance of these sites. (Project Design Policy 2)*
- *Each park and recreation area should be attractive as well as functional, safe, and as economical to maintain as its purposes allow. (Project Design Policy 3)*
- *Each park and recreation area should include as abundant vegetation as feasible or appropriate, especially trees. (Project Design Policy 4)*

The proposed project generally supports each of these policies. The public access area will provide recreational opportunities for biking, walking/running, and fishing.

**Open Space and Natural Resources Element**

- *All construction immediately adjacent to a stream or body of water should be designed to ensure that soil will be well secured so that unnecessary soil erosion, siltation of streams, and sedimentation of water bodies does not occur. (Earth Resources Policy 6)*
- *The near-total industrial hold over the waterfront should be loosened and recreational or open space use made of much of it. (Water Resources Policy 6)*

The mitigation measures included in the Hydrology and Safety/Risk of Upset sections will ensure that Earth Resources Policy 6 is adequately implemented. The proposed commercial use with its public access amenities supports Water Policy 6.

**Circulation Element**

- *The shoreline trail combining both bikeways and pedestrian ways will follow the water's edge as closely as possible and be accessible at frequent intervals. Areas for picnicking, fishing, and resting will be provided at intervals along the trail, wherever feasible. (Pedestrian and Bikeways Policy 8)*

The proposed project is consistent with this policy.

**Draft Open Space, Conservation, and Recreation (OSCAR) Element**
This Element would reinforce and update a number of 1976 General Plan goals and policies and would establish new goals, policies, objectives, and actions to help preserve open space, conserve natural resources, and manage Oakland's park and recreation system. Policies and actions applicable to the proposed project focus on improved public access and recreational amenities along the waterfront, and land uses which capitalize on the waterfront's presence.

The proposed project is consistent with the Draft OSCAR Element policies relevant to the shoreline. If implemented, the mitigation measures outlined in the geology, hydrology, and air quality sections of this document will ensure the project is consistent with the policies identified in the Conservation section of the Element.

(2) San Francisco Bay Plan. Pursuant to the McAteer-Petris Act, the San Francisco Bay Conservation and Development Commission (BCDC) is the state agency designated to manage the waters of San Francisco Bay and the

development of its shoreline. BCDC has jurisdictional authority over the waters of San Francisco Bay and a shoreline band consisting of all territory located within 100 feet of the shoreline. BCDC has the authority to control two kinds of activities: 1) Bay filling and dredging, and 2) Bay-related shoreline development. The policies and procedures of BCDC are set forth in the San Francisco Bay Plan.[17]

The Bay Plan encourages the expansion of the Port of Oakland's maritime, water-related industrial, water-oriented recreation and public access uses. These uses include deepening the shipping channel; keeping and reserving land for water-related industry; providing new shoreline parks, beaches, marinas, fishing piers, scenic drives and hiking or biking paths; maintaining and adding wildlife refuges; and encouraging private investment in shoreline development. Bay Plan Map 4 suggests an expansion of commercial fishing and recreational facilities in the Brooklyn Basin area.

Applicable Bay Plan policies include policies regarding Public Access, and Appearance, Design and Scenic Views of Development Around the Bay. Design policies relevant to the proposed project are listed below. Policies specific to Public Access are discussed in Section D.11.

**Appearance, Design, and Scenic Views**

- *To enhance the visual quality of development around the Bay and to take maximum advantage of the attractive setting it provides, the Plan recommends that the shores of the Bay be developed in accordance with BCDC's Public Access Design Guidelines, 1986. (Policy 1)*
- *Structures and facilities that do not take advantage of or visually complement the Bay should be located and designed so as not to impact visually on the Bay and shoreline. In particular, parking areas should be located away from the shoreline. (Policy 4)*
- *Views of the Bay from vista points and from roads should be maintained by appropriate arrangements and heights of all developments and landscaping between the view areas and the water. In this regard, particular attention should be given to all waterfront locations, areas below vista points, and areas along roads that provide good views of the Bay for travelers, particularly areas below roads coming over ridges and providing a "first-view" of the Bay. (Policy 14)*

[17] Adopted in January 1969, revised and amended through 1994.

The proposed project would be consistent with these policies. Improved public access would be provided along the waterfront and a 70 foot wide view corridor would allow unobstructed views through the site to the Bay.

(3) Port of Oakland Master Development Plan. The City of Oakland has operated a public harbor since the City was incorporated in 1851. Exclusive control and management of the Port were delegated to the Board of Port Commissioners in 1927 by an amendment to the City Charter.

Under the Charter, the Port is an independent department of the City. The Board has exclusive control and management of the Port area, all Port facilities and property, real and personal, all income and revenues of the Port, and proceeds of all bond sales initiated for harbor or airport improvements or for any other purposes. The Board also has exclusive land use authority over all lands under Port jurisdiction. The Charter establishes the general land uses appropriate to the Port area. These uses include maritime, commercial, and airport uses. Prior to the approval of any project, the Board reviews its consistency with the overall provisions of the Charter. In addition, the Port reviews and approves all construction in the Port area prior to City issuance of any Building Permit. On land it owns, the Port further specifies uses and conditions in leases.

In 1968, a Master Development Plan, commonly referred to as the Shoreline Plan, was prepared for the Port of Oakland. The plan was adopted by the Board, and many of the policies were reflected in the Oakland Comprehensive Plan. The plan shows commercial use for the project site which is consistent with the City's Comprehensive Plan Land Use designation.

The proposed project is consistent with policies outlined in the Port's Master Development Plan.

(4) The Bay Trail Plan. The plan for the Bay Trail proposes development of a regional hiking and bicycling trail around the perimeter of San Francisco and San Pablo Bays. The Plan was prepared by the Association of Bay Area Governments pursuant to SB 100, which mandated that the Bay Trail provide connections to existing park and recreation facilities; create links to existing and proposed transportation facilities; and be planned in such a way as to avoid adverse effects on environmentally sensitive areas. The plan

proposes a trail alignment for a 400-mile recreational "ring around the Bay."[18]

The Bay Trail policies are not intended to supplant local regulations. The plan and its policies provide a comprehensive guide to planning the Bay Trail and are meant to complement locally adopted regulations.

In the project vicinity, the Bay Trail is proposed to run adjacent to the waterfront within the Brooklyn Basin, at 10th Avenue (Ninth Avenue Terminal) it is proposed to continue along Embarcadero.[19] Applicable trail alignment and design policies are discussed in Section D.11, Public Services/ Public Access and Recreation, of this document.

c. Conclusion. A hotel use is consistent with the area's commercial land use designation. The project is consistent with the Oakland Comprehensive Plan, the Oakland Shoreline Plan, and the San Francisco Bay Plan. The project is also consistent with the policies outlined in the City's Draft Open Space, Conservation, and Recreation (OSCAR) Element. The project supports improved access to the waterfront and other objectives identified in the Draft OSCAR Element. The project would provide improved shoreline access and improves a link to the Bay Trail System. Since the project is consistent with all applicable policies and regulations, there will be no significant adverse policy impacts.

[18] Association of Bay Area Governments, *The Bay Trail: Planning for a Recreational Ring Around San Francisco Bay,* July 1989, p. iv-v.

[19] Ibid, p. II-9.

## E. INITIAL STUDY CHECKLIST

■ ■ ■

## INITIAL STUDY

**Port of Oakland**

## I. GENERAL INFORMATION

A. **PROJECT NAME:** Marriott Residence Inn

B. **PROJECT PURPOSE:** The purpose of the project is to construct a 122 unit extended stay hotel.

C. **PROJECT SPONSOR:** John B. Norton, Lodging Development
7365 Carnelian, Suite 230
Cucamonga, CA 91730

**CONTACT:** John B. Norton; (909) 945-1389

D. **ASSESSOR PARCEL NUMBER:** Book O/Map 470/Parcel 2

E. **LAND USE:**
**EXISTING:** Commercial: two restaurants, yacht dealership
**PROPOSED:** Commercial: extended stay hotel

F. **PROJECT DESCRIPTION:** See Initial Study, Section B.

G. **LOCATION:** 1103, 1111, and 1155 Embarcadero, Oakland, CA

H. **ENVIRONMENTAL SETTING:** See Initial Study, Section B and C.

## II. EVALUATION OF POTENTIAL PROJECT IMPACTS

**Introductory Note:** (as needed)

### A. GEOLOGY

Will the Proposal result in, affect, or be affected by:

| | | Yes Significant Adverse Impact | Mitigable Yes No Unknown | No Significant Adverse Impact | No Impact |
|---|---|---|---|---|---|
| 1. | Seismic hazards, including fault surface rupture, liquefaction, seismic shaking, landsliding, tsunami inundation? | | Y | | |
| 2. | Slope failure? | | | X | |
| 3. | Spoil hazards; soil creep, shrink-swell (expansiveness), high erosion potential? | | | X | |
| 4. | Mineral resources? | | | X | |
| 5. | Other? | | | | X |

**Comments:**

See discussion in Section D.1 of this Initial Study.

## B. HYDROLOGY

Will the Proposal affect, or be affected by:

| | | Yes Significant Adverse Impact | Mitigable Yes No Unknown | No Significant Adverse Impact | No Impact |
|---|---|---|---|---|---|
| 1. | Public or private water supply? | | | X | |
| 2. | Septic tank functioning (inadequate percolation, high water table, location in relation to water courses, etc.? | | | | X |
| 3. | Increased sedimentation rates? | | Y | | |
| 4. | Surface or groundwater quality (contaminants other than sediment, urban runoff, nutrients, pesticides, temperature, dissolved oxygen, etc.)? | | Y | | |
| 5. | Groundwater recharge? | | | X | |
| 6. | Watercourse configuration, capacity or hydraulics? | | | X | |
| 7. | Degradation of riparian corridor, marsh, lake, estuary, slough? | | | X | |
| 8. | Increased runoff due to impervious surfacing? | | | X | |
| 9. | Flood hazard areas, their depth or extent? | | | X | |
| 10. | Cumulative saltwater intrusion? | | | X | |
| 11. | Other? | | | | X |

**Comments:**

See discussion in Section D.2 of this Initial Study.

## C. BIOLOGY

Will the Proposal result in:

| | | Yes Significant Adverse Impact | Mitigable Yes No Unknown | No Significant Adverse Impact | No Impact |
|---|---|---|---|---|---|
| 1. | Known habitat of rare/endangered plants or animals? | | | X | |
| 2. | Unique or fragile biotic community? | | | X | |
| 3. | Wildlife habitat or migration corridor? | | | X | |
| 4. | Alterations to the plant community? | | | X | |
| 5. | Fire hazard from flammable brush, grass or trees? | | | X | |
| 6. | Anadromous fishery? | | | X | |
| 7. | Other? | | | | X |

**Comments:**

See discussion in Section D.3 of this Initial Study.

## D. NOISE / AIR

Will the Proposal affect, or be affected by:

| | | Yes Significant Adverse Impact | Mitigable Yes No Unknown | No Significant Adverse Impact | No Impact |
|---|---|---|---|---|---|
| 1. | Noise levels (increases in existing noise levels) and exposure of people to severe noise levels? | | Y | | |
| 2. | Ambient air quality (substantial air emissions or deterioration of ambient air quality by hydrocarbon, thermal, objectionable odors, dust, smoke, radiation, etc.)? | | Y | | |
| 3. | Alteration of air movement, moisture or temperature, or any change in climate, either locally or regionally? | | | X | |
| 4. | Vibration? | | | X | |
| 5. | Other? | | | | X |

**Comments:**

See discussion in Section D.4 of this Initial Study.

## E. NATURAL RESOURCES / ENERGY

Will the Proposal affect or be affected by:

| | | Yes Significant Adverse Impact | Mitigable Yes No Unknown | No Significant Adverse Impact | No Impact |
|---|---|---|---|---|---|
| 1. | The use, extraction or conservation of any natural resources? | | | X | |
| 2. | Substantial increase in demand upon existing sources of energy, or require the development of new sources of energy? | | | X | |
| 3. | Conflict with adopted energy conservation plans? | | | X | |
| 4. | Use non-renewable resources in a wasteful and inefficient manner? | | | X | |
| 5. | Other? | | | | X |

**Comments:**

See discussion in Section D.5 of this Initial Study.

## F. VISUAL RESOURCES / AESTHETICS

Will the Proposal affect, or be affected by:

| | | Yes Significant Adverse Impact | Mitigable Yes No Unknown | No Significant Adverse Impact | No Impact |
|---|---|---|---|---|---|
| 1. | The established character, aesthetics or function of the surrounding area? | | | X | |
| 2. | Areas having important visual or scenic value (i.e. the obstruction of any scenic vista or view open to the public)? | | | X | |
| 3. | The creation of an aesthetically offensive site open to public view? | | | X | |
| 4. | Scenic highways? | | | | X |
| 5. | Other? | | | | X |

**Comments:**

See discussion in Section D.6 of this Initial Study.

## G. CULTURAL RESOURCES

Will the Proposal result in, affect or be affected by:

| | | Yes Significant Adverse Impact | Mitigable Yes No Unknown | No Significant Adverse Impact | No Impact |
|---|---|---|---|---|---|
| 1. | Physical change affecting unique ethnic cultural values? | | | | X |
| 2. | Restriction of existing religious or sacred uses within the potential impact area? | | | | X |
| 3. | Prehistoric or historic buildings, structures, objects or unique cultural features? | | | | X |
| 4. | Archaeological or paleontological resources? | | Y | | |
| 5. | Other? | | | | X |

**Comments:**

See discussion in Section D.7 of this Initial Study.

## H. SAFETY / RISK OF UPSET

Will the Proposal result in, affect or be affected by:

| | | Yes Significant Adverse Impact | Mitigable Yes No Unknown | No Significant Adverse Impact | No Impact |
|---|---|---|---|---|---|
| 1. | Hazard to people or property from risk of explosion or release of hazardous substances either on site or in transit? | | Y | | |
| 2. | Emergency response or evacuation plans? | | | X | |
| 3. | Other? | | | | X |

**Comments:**

See discussion in Section D.8 of this Initial Study.

## I. LIGHT / GLARE

Will the Proposal result in:

| | | Yes Significant Adverse Impact | Mitigable Yes No Unknown | No Significant Adverse Impact | No Impact |
|---|---|---|---|---|---|
| 1. | Significant new light or glare impacts on site or surrounding areas? | ☐ | ☐ | X | ☐ |
| 2. | Other? | ☐ | ☐ | ☐ | X |

**Comments:**

See discussion in Section D.9 of this Initial Study.

## J. TRANSPORTATION / CIRCULATION / PARKING

Will the Proposal result in:

| | | Yes Significant Adverse Impact | Mitigable Yes No Unknown | No Significant Adverse Impact | No Impact |
|---|---|---|---|---|---|
| 1. | Generation of substantial additional vehicular movement? | | | X | |
| 2. | Effects on existing parking facilities or demand for new parking? | | | X | |
| 3. | Substantial impact on existing transportation systems? | | | X | |
| 4. | Alterations to present patterns of circulation or movement of people and/or goods? | | | X | |
| 5. | Alterations to waterborne, rail or air traffic? | | | | X |
| 6. | Increase in traffic hazards to motor vehicles, bicyclists or pedestrians? | | | X | |
| 7. | Other? | | | | X |

**Comments:**

See discussion in Section D.10 of this Initial Study.

## K. PUBLIC SERVICES / PUBLIC ACCESS AND RECREATION

Will the Proposal affect, or be affected by:

| | | Yes Significant Adverse Impact | Mitigable Yes No Unknown | No Significant Adverse Impact | No Impact |
|---|---|---|---|---|---|
| 1. | Fire protection? | | | X | |
| 2. | Police protection? | | | X | |
| 3. | Schools? | | | | X |
| 4. | Parks or other recreation facilities? | | Y | | |
| 5. | Maintenance of public facilities (roads, channels, etc.)? | | | X | |
| 6. | Other? | | | | X |

**Comments:**

See discussion in Section D.11 of this Initial Study.

## L. PUBLIC UTILITIES

Will the Proposal affect, or be affected by:

| | | Yes Significant Adverse Impact | Mitigable Yes No Unknown | No Significant Adverse Impact | No Impact |
|---|---|---|---|---|---|
| 1. | Sewer or septic systems? | | | X | |
| 2. | Water for domestic use and fire protection? | | | X | |
| 3. | Natural gas or electricity? | | | X | |
| 4. | Storm water drainage? | | | X | |
| 5. | Solid waste disposal? | | | X | |
| 6. | Communication systems? | | | X | |
| 7. | Plant facilities for any of the above (sewer plants, microwave station) water tanks, etc.? | | | X | |
| 8. | Other? | | | | X |

**Comments:**

See discussion in Section D.12 of this Initial Study.

## M. POPULATION / HOUSING

Will the Proposal result in:

| | | Yes Significant Adverse Impact | Mitigable Yes No Unknown | No Significant Adverse Impact | No Impact |
|---|---|---|---|---|---|
| 1. | Alter the location, distribution, or growth of the human population of an area? | | | X | |
| 2. | Reduction of low/moderate income housing? | | | | X |
| 3. | Creation of demand for additional housing? | | | X | |
| 4. | Displacement of people or business activity? | | | X | |
| 5. | Public controversy? | | | X | |
| 6. | Creation or exposure of people to potential health hazards? | | | X | |
| 7. | Other? | | | | X |

**Comments:**

See discussion in Section D.13 of this Initial Study.

## N. LAND USE / OPEN SPACE

Will the Proposal result in:

| | | Yes Significant Adverse Impact | Mitigable Yes No Unknown | No Significant Adverse Impact | No Impact |
|---|---|---|---|---|---|
| 1. | Land use not in conformance with the character of surrounding neighborhood? | | | X | |
| 2. | Substantial alteration of the present or planned land use of an area? | | | X | |
| 3. | Change, loss or reduction of lands preserved under agricultural or open space contract? | | | | X |
| 4. | Affect agricultural resources or operations? | | | | X |
| 5. | Other? | | | | X |

**Comments:**

See discussion in Section D.14 of this Initial Study.

## O. GENERAL PLANS AND PLANNING POLICY

Will the Proposal result in:

| | | Yes | No |
|---|---|---|---|
| 1. | Consistent with the Oakland Comprehensive Plan? | X | |
| 2. | Consistent with the Oakland Shoreline Plan? | X | |
| 3. | Consistent with other adopted policies? | X | |

**Comments:**

See discussion in Section D.15 of this Initial Study.

## F. MANDATORY FINDINGS OF SIGNIFICANCE AND DETERMINATION

### 1. MANDATORY FINDINGS OF SIGNIFICANCE

Pursuant to Section 15065 of the State of California CEQA Guidelines, a project shall be found to have a significant effect on the environment if any of the following are true:

| | Yes | No |
|---|---|---|
| 1. **Potential to degrade:** The project has the potential to degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self-sustaining levels, threaten to eliminate a plant or animal community, reduce the number or restrict the range of a rare or endangered plant or animal or eliminate important examples of the major periods of California history or prehistory. | | X |
| 2. **Short term:** The project has the potential to achieve short-term to the disadvantage of long-term environmental goals. | | X |
| 3. **Cumulative:** The project has possible environmental effects which are individually limited but cumulatively considerable. Cumulatively considerable means that the incremental effects of an individual project are considerable when viewed in connection with the effect of past projects, the effects of other current projects, and the effects of probable future projects. | | X |
| 4. **Substantial adverse:** The environmental effects of a project will cause substantial adverse effects on human beings, either directly or indirectly. | | X |

## 2. DETERMINATION

☐ 1. I find that the proposed project will not have a significant effect on the environment, and a **NEGATIVE DECLARATION** will be prepared.

☒ 2. I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because the mitigation measures described in Exhibit "A" (attached) have been added to the project by the project sponsor. A **MITIGATED NEGATIVE DECLARATION** will be prepared.

☐ 3. I find that the project may have a significant effect on the environment and an **ENVIRONMENTAL IMPACT REPORT** is required.

Sheila Brady
President, Brady and Associates Date: 12/14/95

## G. AGENCIES AND PERSONS CONSULTED

■ ■ ■

### 1. Project Applicant

John B. Norton
John R. Norton

### 2. Port of Oakland

Environmental Planning Department
Loretta Meyer, Port Environmental Assessment Supervisor
Dean Luckhart, Associate Port Environmental Planner

Commercial Real Estate
Dennis White, Assistant Director
Robert Jones, Senior Asset Management

### 3. San Francisco Bay Conservation and Development Commission (BCDC)

Joseph E. LaClair

### 4. City of Oakland

Department of Planning and Building
Iris Starr
Katrina Koh

Fire Department
Audrey Fucles

Police Department
Richard Zamora

## H. LIST OF PREPARERS

■ ■ ■

### 1. Consultant Team

Brady and Associates
Sheila Brady, Principal-in-Charge
Lynette Stanchina, Project Manager
Nick Haskell, Associate
Munsun Park, Planning Assistant

Crane Transportation Group
Mark Crane, Principal

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